UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,343	01/20/2006	Mark A. Watt	1041-01-PCT-PA	2091

22145   7590   09/10/2007

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EXAMINER
NGUYEN, PHU K

ART UNIT	PAPER NUMBER
2628	

MAIL DATE	DELIVERY MODE
09/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
Office Action Summary	10/565,343	WATT, MARK A.	
	Examiner	**Art Unit**	
	Phu K. Nguyen	2628	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 January 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2300

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>1/20/06 & 8/11/06</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.

Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by

FARMER et al. (6,476,830).

As per claim 1, Farmer teaches the claimed "apparatus for controlling an

interactive virtual environment," the apparatus comprising "a unit which defines a virtual

environment populated by objects, the objects comprising avatars and props, wherein

objects within the virtual environment may be dynamically attached to and detached

from other objects" (Farmer, avatar and ATM for withdrawing tokens; figure 9E),

characterized in that "one or more of the props has associated with it information

defining one or more animations which may be performed by an avatar when said

avatar interacts with the prop, the avatar being operable to query the prop for the

information defining the animation that the avatar is to perform when the avatar interacts

with the prop" (Farmer, column 47, lines 1-52), and wherein "when the prop is

dynamically attached to another object, the information defining the animation(s) to be

performed by one or more of the avatars during an interaction with the prop, remains

associated with the prop" (Farmer, figure 9E, withdraw and deposit tokens).

Claim 2 adds into claim 1 "when an object is attached to another object, it inherits

the movement of the object to which it is attached" (Farmer, token attached to the

avatar; column 36, lines 1-67).

claim 3 adds into claim 1 "a unit which stores an animation sequence for subsequent replay or editing" (Farmer, column 40, lines 20-60).

Claim 4 adds into claim 1 "an apparatus for playing a computer game" (Farmer, figure 2, online server).

Claim 5 adds into claim 3 "allowing a unit which allows a user to control the virtual environment to create an animation sequence" (Farmer, online user 202; fig. 2).

Claim 6 adds into claim 1 "the animation or animations are defined as part of a state machine which is associated with the prop" (Farmer, different state machine for token classes; table 48) .

Claim 7 adds into claim 1 "a state transition which defines an initial state, a final state, and at least one of a prop animation which takes the prop from the initial state to the final state, and an avatar animation which takes the avatar from the initial state to the final state, and optionally back to the initial state" (Farmer, different state machine for token classes; table 48).

Claim 8 adds into claim 7 "a precondition is associated with one of the states" (Farmer, column 45, lines 38-48).

Claim 9 adds into claim 6 "the state machine has an idle state" (Farmer, wait for reply message from server; table 50).

Claim 10 adds into claim 1 "an animation sequence is stored as a script comprising a list of commands" (Farmer, tables of pseudo codes, example table 36).

Claim 11 adds into claim 10 "the commands are the same commands as may be entered by a user in order to control the virtual environment" (Farmer, tables of pseudo codes, example table 36).

Claim 12 adds into claim 10 "a script contains an instruction which is to be passed to an object in the virtual environment" (Farmer, Pseudo code for Tokens put into the Container; table 39).

Claim 13 adds into claim 12 "the instruction is only passed to the object once an animation which precedes it in the script has been played out" (Farmer, Pseudo code for Tokens put into the Container; table 39).

Claim 14 adds into claim 1 "an avatar comprises at least a file defining its

appearance, and an animation defining its movements" (Farmer, tables 1-3; avatar

forming tables).

Claim 15 adds into claim 1 "a plurality of avatars share a common animation"

(Farmer, several object avatars on a screen; column 20, lines 42-50).

Claim 16 adds into claim 15 "the common animation is retargeted to fit the size of

the avatar in question" (Farmer, Pseudo code for avatar to ghost, table 15).

Claim 17 adds into claim 1 "a prop includes a file which specifies a way in which

the prop may contain other props" (Farmer, the ATM contains the tokens; figure 9E).

Claims 18-23 claim a method and a compuetr program to carry out the functions

of claims 1-17; there fore, they are rejected under the same reason.

As per claim 24, Farmer teaches the claimed "Apparatus for controlling an

interactive virtual environment," the apparatus comprising "means for defining a virtual

environment populated by objects, the objects comprising avatars and props, wherein

objects within the virtual environment may be dynamically attached to and detached

from other objects" (Farmer, avatar and ATM for withdrawing tokens; figure 9E),

characterized in that "one or more of the props has associated with it information

defining one or more animations which may be performed by an avatar when said

avatar interacts with the prop, the avatar being operable to query the prop for the

information defining the animation that the avatar is to perform when the avatar interacts

with the prop" (Farmer, column 47, lines 1-52), and wherein "when the prop is

dynamically attached to another object, the information defining the animation(s) to be

performed by one or more of the avatars during an interaction with the prop, remains

associated with the prop" (Farmer, figure 9E, withdraw and deposit tokens).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272

7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen
September 4, 2007

PHU K. NGUYEN
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